

1 **Harold Scherr (Estate)**
 Atty ~~Tahajian, Gerald L. (for Executor Stefan Scherr)~~
 Atty ~~Scherr, Stefan (Pro Per Petitioner)~~
 Atty Kruthers, Heather (for Public Administrator)

Case No. 05CEPR00109

(1) Petition for Termination of Proceedings and (2) Discharge of Executor for want of Assets Subject to Administration (Probate Code §12251)

DOD: 3-29-94		<p>STEFAN SCHERR, Son and Executor with Full IAEA without bond, is Petitioner.</p> <p>Petitioner states the real property which constituted the sole asset of the estate was sold for \$220,000.00 payable by cash down payment of \$30,000.00 and the balance of \$190,000.00 payable by promissory note in favor of the estate. A default occurred in the payments on said note and extensive and expensive litigation ensued concerning the sale. Ultimately, the case was dismissed against the estate and the title to the real property reverted to the estate.</p> <p>However, the City of Fresno has declared that the improvements on the property constituted a hazard and such improvements were torn down by the City. The City asserted a lien against the property for the demolition and cleanup. The City's liens are also enforced by the County of Fresno, which also has its own liens and penalties for back taxes. The total of all liens by the city and county is approx. \$50,000.00. The County has tried to sell the property but has been unable to obtain any bids because the property is worthless.</p> <p>Therefore, there are no assets of this estate. After payment of the costs of litigation, there is no cash remaining in the estate and therefore there are no longer any assets subject to administration.</p> <p>Petitioner requests orders that administration be immediately terminated for want of assets, and that Petitioner be discharged as Executor.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note re History:</u> Executor Stefan Scherr had been represented by Attorney Gerald L. Tahajian since this estate was established in 2005.</p> <p>Attorney Tahajian prepared this petition which was set for 5-19-14.</p> <p>On 5-15-14, an <u>undated</u> Substitution of Attorney indicated that Mr. Scherr was no longer represented by Mr. Tahajian and would proceed in pro per.</p> <p>At the hearing on 5-19-14, Attorney Gerald Tomassian appeared and informed the Court that the Executor had passed away (no date provided).</p> <p>The Court on its own motion appointed the Public Administrator.</p> <p><u>Status Report filed 7-10-14 by Public Administrator states</u> Senior Probate Assistant Susan Banuelos is working with the Fresno County Tax Collector to see if they would be willing to accept less on one of the liens. If not, the Public Administrator will not be able to get enough for the property to cover the liens. Public Administrator requests an additional six months to allow response.</p> <p><u>See Page 2 for additional notes and issues with this petition.</u></p>
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N/A	FTB Notice		

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Additional Notes:

- Corrected I&A filed 9-8-06 indicates real property located at 2038 E. California valued at \$125,000.00.
- The decedent's will devises his tangible personal property to his wife, and devises the residue to his six (6) grandchildren: Debra, Sandra, Howard, Alisa, Jeremy, and Kevin, who is now deceased (DOD: 10-8-00).
- On 7-11-05, Petitioner filed Assignments signed by Debra, Sandra, Howard, and Alisa, assigning their interest in the estate to Petitioner Stefan Scherr, now deceased.
- Therefore, it appears the heirs to this estate are the estate of Petitioner Stefan Scherr, Jeremy Scherr, and the estate of Kevin Scherr.

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner states the property is worthless and cannot be sold; therefore, there are no assets. However, need clarification as to title, etc. If the real property still exists as an asset of the estate, how can the estate be closed and the Executor discharged, regardless of the Executor's inability to dispose of it?
2. The Court may require clarification as to the transactions and litigation during administration.
3. The Court may require accounting pursuant to Probate Code §10950.
4. The Estate of Kevin Scherr is technically an heir of this estate; however, notice was not given to any personal representative thereof. The Court may require clarification or notice.

Atty Motsenbocker, Gary L., sole practitioner (for Petitioner Dale Louise Bolden)
 Atty McKeller, Gwendolyn J. (Pro Per Objector, daughter)

(1) Third and Final Account and Report; Petition for Settlement; (2) for Approval of Settlement Agreement; (3) for Final Distribution; and (4) for Allowance of Ordinary and Extraordinary Fees to Administrator and Her Attorneys

DOD: 12/5/1999		DALE LOUISE BOLDEN , daughter and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 071714		Account period: 1/19/2012 – 3/30/2014	Continued from 6/19/2014.
	Aff.Sub.Wit.	Accounting - \$152,278.55	Minute Order states Ms. Ruiz is appearing specially for Attorney Gary Motsenbocker.
✓	Verified	Beginning POH - \$118,609.99	Ms. Ruiz requests a continuance. Matter continued to 7/17/2014.
✓	Inventory	Ending POH - \$ 45,800.00 (\$43,300.40 cash)	
✓	PTC	Administrator - \$5,908.80 (statutory)	The following issues from the last hearing remain:
✓	Not.Cred.	Attorney - \$5,908.80 (statutory)	1. Need proposed order.
✓	Notice of Hrg		
✓	Aff.Mail	W/ Motsenbocker XO - \$22,933.00 (per Declaration of Attorney in Support of Request for Extraordinary Fees and itemization at Exhibit C, for 94.10 hours @ \$250.00 attorney rate and \$110.00 legal assistant rate, from 9/26/2004 to 8/14/2013;)	NEEDS/PROBLEMS/COMMENTS for Objector: While Court records do not show proof of mailed service of a copy of the Objections has been served to the Petitioner, Petitioner's attorney, and all interested parties pursuant to Probate Code § 1220, it appears from Petitioner's Response to Objections filed 6/30/2014 that the Petitioner has received a copy.
	Aff.Pub.		
✓	Sp.Ntc.		
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	Letters	Pinion XO - \$1,456.00 (per Declaration of G. Bryan Pinion in Support of Request for Fees and itemization at Exhibit B; for 5.20 hours @ \$280.00 attorney rate, through 12/31/2013; for services provided on behalf of the estate including unlawful detainer, eviction, clear several title issues; helped generate over \$63,000.00 in income to the estate;)	
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order	X	
	Aff. Posting	Closing - \$2,500.00 (accountant's fees for preparation of final returns for the estate; recording order for mineral rights and other expenses for transferring assets; misc. expenses;)	Reviewed by: LEG
	Status Rpt		Reviewed on: 7/15/14
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 2 - Moultrie
		~Please see additional page~	

Petitioner states [in brief sum]:

- The Administrator was beset with numerous conflicts and disputes, which resulted in lengthy and cankerous litigation;
- Conflicting claims of ownership between the **EBENEZER CHURCH OF GOD AND CHRIST** and the Decedent, as to two parcels of real property ("church properties") to which the church claimed ownership based on numerous legal grounds; in October 2005, the Church agreed with the Administrator to compromise and settle their dispute for the sum of **\$47,000.00** to be in full settlement of all claims and to resolve all interest held by Decedent and his deceased wife, **HELEN MOULTRIE**, in the church properties in favor of the Church; after the agreement was signed the Church promptly reneged on the initial deadline and requested multiple extensions to obtain financing; following legal actions over several years the Administrator collected **\$54,794.00** in rent; at mandatory settlement conference the parties agreed to accept **\$30,000.00** as payment in full for Decedent's interest in the real properties;
- The second disputed matter was an awkward attempt by counsel, **G. CAT STOKES**, to establish the right of **GWENDOLYN McKELLER**, alleged to be Decedent's daughter, to inherit from Decedent's estate; the matter was resolved in the affirmative when Mr. Stokes was "coached" into producing a copy of a certified court judgment from a sister state, wherein Decedent had confessed his paternity in a marital dissolution proceeding, in spite of the fact he was serving in U.S. Army in the Philippine Islands during WWII when this child was conceived;
- The third litigated matter was filed by **GERALD BREAZELL**, cousin of Administrator, represented by Attorney **G. CAT STOKES**, objecting to the spousal set-aside petition of the Administrator to set aside community property rights of Decedent's predecease spouse (Helen) in certain mineral rights; mediation of the matter resulted in stipulated settlement, which has since become null and void because the interests of the parties has been re-allocated by the oil company following misleading dealings with the Objector's attorney; Petitioner has maintained from the outset that this matter is economically infeasible due to the low value of this asset, and should be ignored by the Court; Objector and his siblings will receive notice of hearing and a copy of this petition.
- The following are all of the beneficiaries pursuant to the settlement agreement reached regarding mineral rights which is not null and void: Gerald Breazell, Wilma Jean Fullmore, Florine Mitchell, Oliver Breazell, Kenneth Breazell.

Petitioner requests authorization to distribute the remainder of the estate pursuant to intestate succession as follows:

PATRICIA ANN MOULTRIE HARRIS – 1/7th interest consisting of **\$656.26** cash and **.3572%** interest in mineral, oil, gas and hydrocarbons rights in real property;

PHILIP CORNELIUS MOULTRIE – 1/7th interest consisting of **\$656.26** cash and **.3572%** interest in mineral, oil, gas and hydrocarbons rights in real property;

STEVIE RYDELL MOULTRIE – 1/7th interest consisting of **\$656.26** cash and **.3572%** interest in mineral, oil, gas and hydrocarbons rights in real property;

KATHY LYNETTE MOULTRIE PAYNE – 1/7th interest consisting of **\$656.26** cash and **.3571%** interest in mineral, oil, gas and hydrocarbons rights in real property;

DOROTHY MAE MOULTRIE McALISTER – 1/7th interest consisting of **\$656.26** cash and **.3572%** interest in mineral, oil, gas and hydrocarbons rights in real property;

DALE LOUISE MOULTRIE BOLDEN – 1/7th interest consisting of **\$656.26** cash and **.3571%** interest in mineral, oil, gas and hydrocarbons rights in real property;

GWENDOLYN McKELLER – 1/7th interest consisting of **\$656.26** cash and **.3571%** interest in mineral, oil, gas and hydrocarbons rights in real property.

~Please see additional page~

Objection to Third and Final Account and Report; Petition for Settlement; for Approval of Settlement Agreement; for Final Distribution; and for Allowance of Ordinary and Extraordinary Fees to Administrator and Her Attorneys filed by GWENDOLYN J. MOULTRIE McKELLER on 6/10/2014 states:

She objects to the following:

- The reference in the petition to matters that have already been adjudicated by this Court, and to use those matters to twist the facts in an effort to improperly sway this honorable Court about Objector's entitlement to inherit; in addition, the language is unprofessionally improper and irrelevant;
- The unreasonable length of time that it has taken to administer this small estate;
- The costly strategy in pursuing family owned mineral rights which drastically effected the request for extraordinary attorney fees;
- The costly strategy in pursuing the defense of this Objector's right to inherit from this estate notwithstanding presentation of official documents to resolve the claim without litigation; Petitioner and her attorney continue to refuse to acknowledge validity of the claim until it was litigated and decided in this claimant's favor by this Court;
- She objects to an award of statutory fees to Petitioner or to her attorney; Petitioner participated in a fraud upon the Court and her fee should be surcharged; Petitioner's attorney participated in that fraud knowingly or negligently, and therefore should have his statutory and extraordinary fees surcharged in an appropriate amount established by the Court;
- The extraordinary attorney fees are excessive in view of the value of the estate; fees are not warranted by the small value of the estate, nor did it have a reasonable benefit to the estate, nor is it consistent with the requirements set forth in California Rules of Court, Rule 7.702(2) and (3); *[Note: California Rule of Court 7.702(2) and (3) provide a petition for extraordinary compensation must include a statement of facts upon which the petition is based, showing the results achieved and the benefit of the services to the estate];*
- She objects to the inventory and appraisal;
- She objects to the accounting;
- The property on Sierra Vista Ave. was deeded by Petitioner on 1/8/2002 to **DOROTHY AND WILBER McALISTER**;
- Petitioner had Limited [IAEA] authorization on 6/20/2000, with Full authority on 3/14/2002;
- Dale (Odell) Bolden, Dale's daughter Leslie (now deceased), and granddaughter Ashley, lived in the home on Sierra vista Ave., along with brother, **PHILLIP MOULTRIE**, in 2000 and for many years after;
- **PATRICIA HARRIS**, sister, and **PHILLIP MOULTRIE** are living in the house at this time;
- [Remainder of objection consists of a list of schedules contained in the accounting with specific itemizations from the schedules singled out as improper expenses].
- **Objector prays that the Petition and accounting not be granted, ratified or approved.**

Petitioner's Response to Objections to Third and Final Account and Report of Administrator as to the Petition for Settlement and Final Distribution of the Estate filed by DALE BOLDEN on 6/30/2014 states:

- This matter has been and continues to be a long drawn out affair; the case is vexing, acrimonious and complex; there have been extended proceedings and hearings involving the various disputes in this matter;
- These objections by Gwendolyn J. McKeller are just the latest in a series of difficulties;
- Ms. McKeller made numerous objections to matters previously heard by this Court, upon which the Court has long ago disposed of by issuing an order; the period in which to object or appeal the Court's findings and orders has long since expired making all those matters *res judicata*;

~Please see additional page~

Petitioner Dale Bolden's Response to Objections to Third and Final Account filed on 6/30/2014, continued:

- As to the objection in paragraph 1, it is unclear as to the point the objector is trying to make other than to voice her opinion as to this aspect of the proceeding;
- As to the objection in paragraph 2, there is no question that this matter has taken a long time to resolve; the very nature of the problems involved dictated the time that was taken to finally resolve the matter; had the church not reneged numerous times on their agreement, this matter would have been resolved years ago;
- As to the objection in paragraph 3, the mineral rights issue was raised by other relatives, who filed objections to the proceedings and the Petitioner had no choice but to respond and defend the estate's interest;
- As to the objection in paragraph 4, the statements by the Objector in this paragraph are mainly the unsubstantiated opinion of the Objector and inaccurate; if her attorney had known and understood the law, this matter could have been handled in the manner she suggests, but he did not; any delay in this proceeding was due to the Objector's attorney's inexperience and/or ineptitude;
- As to the objection in paragraph 5, this is more of the same in regard to the heirship proceeding; it is confused and there is no basis for the points raised therein;
- As to the objection in paragraph 6, this is a general objection to the fee requests; the Petitioner has conformed to all the requests and requirements set forth in the section cited;
- As to the objection in paragraph 7, it is a vague and ambiguous objection about which the Petitioner has no idea what this objection was meant to convey;
- As to the objections in paragraph 8:
 - **Sierra Vista Ave. property** – Petitioner has no idea what the point being raised is about; the Decedent's house was in very poor condition and in a crime-ridden area; the Petitioner resided in the home to protect it while it was listed for sale; ultimately there were no offers made to purchase the house after an extended period of time; after 3 years the house was sold;
 - **First Account and Report and Second Account and Report** – both of these matters were approved and ratified more than 3 years ago and are therefore beyond the period in which to object or appeal and are *res judicata*;
 - **Third Account and Report** – all these expenses were accrued while the Petitioner was in possession of the Church property and were needful and necessary expenses incurred to the upkeep and maintenance of the property;
 - **Questionable Expenses** – Petitioner is not sure what the item "appraisal fee" reference is meant to convey; the consultation with Attorney Myers was needful and necessary in order for the Petitioner to ascertain what she needed to do in regard to this matter as it was unduly complex;
- **Petitioner requests the Court order the Petitioner's Third and Final Account and Petition for Settlement be approved as filed.**

DOD: 7/29/2005		LORRAINE GIRAGOSIAN, Administrator, is petitioner. Accounting is waived. I & A - \$96,442.97 POH - \$96,442.97 Administrator - not addressed Attorney - \$3,858.00 (statutory) already paid. Costs - \$1,133.00 (not itemized) already paid. Distribution, pursuant to intestate succession, is to: Lorraine Giragosian - \$96,442.97	NEEDS/PROBLEMS/COMMENTS: 1. Need itemization of costs. <u>Note:</u> This estate was opened in 2006 (8 years ago). It appears that the estate has been distributed and attorney fees paid without court authority. California Rules of Court, Rule 7.700 (a) states no compensation in advance of court order. The personal representative must neither pay nor receive, and the attorney for the personal representative must not receive, statutory commissions or fees or fees for extraordinary services in advance of an order of the court authorizing their payment. (b) Surcharge for payment or receipt of advance compensation. In addition to removing the personal representative and imposing any other sanctions authorized by law against the personal representative or the attorney for the personal representative, the court may surcharge the personal representative for payment or receipt of statutory commissions or fees or fees for extraordinary services in advance of an order of the court authorizing their payment. The surcharge may include interest at the legal rate from the date of payment. <p style="text-align: center;">Please see additional page</p>
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Reviewed by: KT
Reviewed on: 7/15/14
Updates:
Recommendation:
File 3 – Benson

Note continued: Cal. Civ. Prac. Probate and Trust Proceedings § 1:13 indicates the attorney's ethical duty to diligently pursue the matter also requires that the attorney not unduly prolong administration of the estate and distribution of estate assets. [See Ridge v. State Bar (1989) 47 Cal 3d 952, 254 Cal Rptr 803, 766 P2d 569 (attorney acting as executor not insulated from censure for unduly prolonged probate); see also Weber v. State Bar (1988) 47 Cal 3d 492, 253 Cal Rptr 573, 764 P2d 701, cert den 490 US 1009, 104 L Ed 2d 163, 109 S Ct 1649 (delay in distribution of assets)] In addition to this ethical consideration, the Probate Code specifically addresses the time for closing an estate. [See Prob. Code, §§ 12200 to 12206 (time for closing estate)]

Amended First and Final Account and Report of Executor, Petition for Allowance of Compensation to His Attorney, and Reimbursement to Executor for Funeral Expenses and Closing of Estate Due to Exhaustion of Assets

DOD: 10-29-08		<p>BRIAN FRY, Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 1-27-09 through 11-30-13 Accounting: \$9,607.98 Beginning POH: \$9,607.98 Ending POH: \$8,211.77 (cash)</p> <p>Executor (Statutory): Waives</p> <p>Executor: \$6,276.77 (Partial reimbursement for funeral costs and costs of administration totaling \$8,250.00, per Exhibit "A")</p> <p>Attorney (Statutory): \$384.32</p> <p>Attorney (Extraordinary): \$1,115.68 Attorney LeVan states that after reviewing the information presented to the attorney for the accounting, she found out that other assets were marshaled and sold without being included on the I&A. Attorney LeVan therefore had to prepare a corrected I&A and amend the accounting.</p> <p>Costs: \$435.00 (filing fee for this petition)</p> <p>Petitioner lists the five Creditor's Claims filed against the estate at Exhibit A.</p> <p>Petitioner requests that:</p> <ol style="list-style-type: none"> 1. Notice of Hearing of this account, report, and petition be given as required by law; 2. The Court make an order approving, allowing, and settling the account and report of the conservator [sic] in all respects as filed; 3. The Court authorize Petitioner to pay his attorney \$1,500.00 as ordinary and extraordinary compensation for her services during the period of this accounting; 4. The Court authorize partial reimbursement for funeral expenses to Petitioner in the amount of \$6,276.77; 5. The Court authorize the Petitioner to close this estate due to exhaustion of all assets; and 6. Any other orders that the Court considers proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE PAGE 2</u></p>	
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Reviewed by: skc
Reviewed on: 7-16-14
Updates:
Recommendation:
File 4B – Fry

Page 2 - NEEDS/PROBLEMS/COMMENTS:

1. The Court may require clarification regarding the assets of the estate:

The original I&A filed 12-24-08 (prior to appointment) reflected one line item, \$4,727.19 cash, as of the Decedent's date of death, which was 10-29-08.

Except for notice of administration to creditors and agencies, and the filing of claims totaling \$16,537.21 by various creditors, there was no further activity in the estate until the Court set a status hearing for failure to file a petition for final distribution, which was due in January 2010 pursuant to Probate Code §12200.

In January 2014, Petitioner filed a verified accounting based on the \$4,727.19, which included a statement that the Property On Hand as of 11-30-13 (five years later) was that exact same amount \$4,727.19, except that the POH Schedule indicated that it was actually \$3,452.98 cash and \$1,274.21 "American Century Investments."

Examiner Notes for that petition noted that if cash, and especially investments, had been kept untouched in interest-bearing accounts for 5 years, pursuant to the Duties and Liabilities of Personal Representative filed 12-24-08, interest would have been earned.

Petitioner has now filed a Corrected I&A, which corrects the date of death estate value to include cash of \$3,452.98 only, and adds a vehicle and misc. personal property.

This amended petition is based on the Corrected I&A, and now, contrary to the information provided in the prior petition, states that the POH as of 11-30-13 was actually \$8,211.77, which appears to represent the \$3,452.98 cash plus \$1,800.00 from the sale of the vehicle plus \$2,958.79 from the sale of the misc. personal property.

However, again, Examiner notes that it does not appear that estate funds have been held in an interest-bearing account pursuant to the Duties and Liabilities of Personal Representative.

Further, the \$1,274.21 "American Century Investments" is now not included. The Court may require clarification regarding why this asset is now not considered an asset of the estate.

2. Petitioner does not itemize the costs for which he is requesting reimbursement. The petition refers to Exhibit "A" however, that is the list of Creditor's Claims. Need itemization.

3. Attorney requests compensation totaling \$1,500.00, including the full statutory compensation of \$384.22 based on the amended I&A plus \$1,115.68 in extraordinary fees.

First, need clarification as to how correcting the I&A and amending the accounting to more accurately reflect the acts of the executor during administration constitutes extraordinary services. See Cal. Rules of Court 7.702 and 7.703.

Second, need itemization for extraordinary services pursuant to Cal. Rules of Court 7.702 Local Rule 7.18. (The attorney states she performed 16+ hours of work totaling \$3,200, but does not provide itemization.)

Third, pursuant to Probate Code §12205, the Court may reduce compensation due to the delinquency in closing this estate.

4. Need order. The Court may strike any language confirming and approving the acts of the personal representative during administration. The order should also include a provision for payment of creditors in the event of discovery of assets.

Note: Unpaid creditors include Hinds Hospice, Bank of America, Fresno Credit Bureau, and West Asset Management for Citibank. All were given notice of this hearing.

Third Amended First and Final Account and Report of Conservator; Petition for Its Settlement; for Attorney Fees; and Discharge or Conservator of the Estate

DOD: 04/17/13		KATINA SAPIEN LOZANO PAULEY , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/12/14. As of 7/16/14 the following issues remain:
		Account period: 09/19/11 – 12/16/13	
Cont. from 052914, 061214		Accounting - \$102,960.95	1. The Petition (and Order) seek authorization to withdraw funds from various conservatorship accounts to pay the requested attorney fees, however it appears that there are sufficient funds already in the trust account to pay the fees. It is noted that Schedule E – Property on Hand indicates that there is a balance of \$7,731.72 in the client trust account. After payment of the requested \$7,295.00 in attorney's fees (if approved), there should be a balance of \$436.72 to be refunded to the conservatorship estate. Need clarification. 2. Need accounting period for the period after decedent's death pursuant to Probate Code § 2620(b)
Aff.Sub.Wit.		Beginning POH - \$37,268.63	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$17,668.83 (\$15,668.83 is cash)	
	Inventory	Conservator - waived	
	PTC	Attorney - \$7,295.00 (per declaration, itemized by date for 2.4 hours @ \$300/hr., 17.3 hours @ \$200/hr. and 31.15 hours @ \$100/hr.)	
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	Pers.Serv.	Petitioner states that \$10,796.83 was paid to the Joanne Sanoian client trust account on 06/04/12. The Court subsequently reduced the approved attorney fee to \$8,874.83 leaving a balance in the trust account of \$1,442.00 (see note 1).	
	Conf. Screen	Petitioner requests that the remaining property on hand be distributed to her as the successor trustee of the Angelina S. Lozano Living Trust pursuant to Probate Code § 13100 (Declaration attached to Petition as exhibit B).	Reviewed by: JF Reviewed on: 06/09/14 Updates: KT for 7/17/14 Recommendation: File 5 - Lozano
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	2620(c)	Bond, currently posted in the amount of \$60,000.00 is sufficient.	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA	Petitioner prays for an Order:	
	Citation	1. Authorizing the attorney's fees; 2. Authorizing Petitioner to close the blocked account ending in 5483 and deposit into the conservatorship checking account ending in 6758. 3. Authorizing and directing Petitioner to distribute the remaining assets in the Joanne Sanoian Client Trust Account into the conservatorship's checking accounting ending in 6758. 4. Authorizing the distribution of the remaining assets of the conservatorship estate to Katina Sapien Lozano Pauley as successor trustee of the Angelina S. Lozano Living Trust. 5. Discharging Petitioner's bond and upon filing of the proper receipts, and filing of an Ex Parte Order for Final Discharge, discharging Petitioner.	
	FTB Notice		

1) First Account and Report of Conservator and (2) Petition for Allowance of Fees to Attorney for Conservator

Age: 68	CHRISTINA TOLMAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Minute order dated 7/3/14 states counsel is directed to submit further statement as to issue #1 of the examiner notes. 1. There are numerous charges for restaurants, savemart and other department stores and a couple of charges for gas and allegiant air. It does not appear that the conservatee drives or owns a car and lives in a retirement home that may provide meals. The Court may require further information regarding these charges, these charges are in addition to monthly spending money disbursed to the conservatee averaging \$300/mo. Note: If the petition is granted a status hearing will be set as follows: • Friday, 05/14/15 at 9:00a.m. in Dept. 303 for the filing of the second account Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.
	Account period: 11/01/12 – 12/31/13	
	Accounting - \$357,302.00	
	Beginning POH - \$299,241.00	
	Ending POH - \$233,034.00	
Cont. from 051514 , 070314, 070314		
<input type="checkbox"/> Aff.Sub.Wit.	Conservator - Not addressed	
<input checked="" type="checkbox"/> Verified	Attorney - \$7,516.00 (per itemized statement for 25.4 hours @ \$265/hr. for a total of \$6,996.00 and costs in the amount of \$520.00; for work performed in establishing the conservatorship, preparation of the Inventory & Appraisal, preparation of the accounting)	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.	Petitioner prays for an Order:	
<input type="checkbox"/> Sp.Ntc.	1. Approving, allowing and settling the attached account and report of Conservator as filed;	
<input type="checkbox"/> Pers.Serv.	2. Authorizing payment of attorney's fees; and	
<input type="checkbox"/> Conf. Screen	3. Ordering that the conservatee is not capable of completing an affidavit of voter registration and not entitled to vote.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Court Investigator Jennifer Daniel filed a report on 10/22/13.	
<input checked="" type="checkbox"/> CI Report	Declaration of attorney filed on 7/15/14 states she spoke with the conservator and the conservator indicated that the Conservatee is physically very active and she enjoys dining out and traveling. She states she regularly takes the conservatee out for meal and they go on trips. The conservorship estate only pays for the conservatee's share of meals and travel.	
<input checked="" type="checkbox"/> 2620(c)		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF Reviewed on: 06/30/14 Updates: KT for 7/17/14 Recommendation: File 6 - Tolman

Atty Matlak, Steven M., of Dowling Aaron (for Petitioner Bruce D. Bickel, Trustee)

Petition for Settlement of First Account Current and Report of Trustee; and for Approval of Attorney's Fees and Costs

Age: 10 years		BRUCE D. BICKEL , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 4/4/2013 – 4/30/2014	Notes Re Character of Trust:
Cont. from		Accounting - \$300,152.32	<ul style="list-style-type: none"> The Trust was funded by litigation settlement proceeds in Case 13CECG00848 and is not a special needs trust. The Trust Beneficiary will receive payment outside of this Trust as part of the litigation settlement from an annuity set up for her benefit when she reaches age 18. Schedule D, Disbursements reflects combined total expenditures of \$21,111.40, with \$5,600.00 of the expenditures made for services provided directly to the Trust Beneficiary.
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$0.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$279,029.59 (mutual funds; \$83,591.63 cash/equiv.)	
<input type="checkbox"/>	Inventory	Trustee - \$5,357.67 (paid)	
<input type="checkbox"/>	PTC	(per Order of 4/4/2013 authorizing monthly payments of fees @ \$150.00 per hour not to exceed \$1,000.00 per month;)	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$1,366.00	
<input checked="" type="checkbox"/>	Aff.Mail	(per Declaration filed 5/30/2014, for 5.10 hours @ \$240.00 attorney rate and \$95.00 paralegal rate; includes \$200.00 filing fee costs;)	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Bond - \$339,900.00	<p>Note: Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> Thursday, September 15, 2016 at 9:00 a.m. in Dept. 303 for filing of the second account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Conf. Screen	(sufficient)	
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp	Petitioner prays for an Order:	
<input type="checkbox"/>	Objections	1. Settling, allowing and approving, the First Account and Report of the Trustee, and ratifying, approving and confirming all acts and transactions of Petitioner as set forth; and	
<input type="checkbox"/>	Video Receipt	2. Authorizing payment of the attorney fees and reimbursement of costs.	
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 7/15/14
			Updates:
			Recommendation:
			File 7 – Lopez-Aita

Atty Istanbulian, Flora, sole practitioner (for Petitioner Terri May, Administrator)

(1) First and Final Report of Administrator on Waiver of Account and (2) Petition for Final Distribution; (3) for Allowance of Compensation to Attorney and Administrator; and (4) for Reimbursement of Costs Advanced

DOD: 5/9/2013		TERRI MAY , friend and Administrator with Will Annexed, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Consistent with the Court's recent practice, Court may determine an informal accounting of the closing reserve is warranted, and if so, Court will set a Status Hearing as follows: Thursday, January 29, 2015 at 9:00 a.m. in Dept. 303 for an Informal Accounting of \$10,000.00 Closing Reserve. Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. Filing of the informal accounting of closing reserve will not generate a new hearing date.
		Accounting is waived.	
Cont. from		I & A — \$1,030,410.39	
<input type="checkbox"/>	Aff.Sub.Wit.	POH — \$1,030,410.39 (\$132,487.17 is cash)	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Administrator — \$23,351.91 (statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Administrator X/O — \$1,000.00 (for four estate sales of personal property, per Local Rule 7.18)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney — \$23,351.91 (statutory)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Costs — \$1,246.13 (per Declaration and receipts filed 6/17/14, for real property maintenance expenses)	
	Conf. Screen		
	Letters	111813	
	Duties/Supp	Closing — \$10,000.00 (for any liabilities determined to be due)	
	Objections		
	Video Receipt		
	CI Report	Distribution pursuant to Decedent's Will is to:	
<input checked="" type="checkbox"/>	9202	TERRI MAY as Executor of the ESTATE OF ROBERTA JEANNE DUFFY (Case #13CEPR00505), post-deceased daughter (DOD 5/27/2013) – \$73,537.22 cash , securities, real property, furnishings, furniture, and personal belongings.	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 7/15/14
			Updates:
			Recommendation: SUBMITTED
			File 8 – Nichols

		NANCY SMITH is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Court may require authority that shows that a professional license is community property.
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/O	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioner states she (age 82) and **Ronald Smith** ("Dr. Smith") (age 83) were married in 1953. In 1963 the Medical Board of California issue Physician and Surgeon's Certificate No. C21528 to **Ronald D. Smith M.D.** This medical license is the community property of Dr. Smith and Petitioner.

An accusation is currently pending against Dr. Smith before the Medical Board of California, Department of Consumer Affairs.

Dr. Smith has been found to have profound memory loss and disruption with leaves him very impaired and dysfunctional on a daily basis. Declaration of Errol F. Leifer, Ph.D is filed in support.

In a settlement of the Accusation, Petitioner and the Medical Board have agreed to a proposed Stipulated Surrender of License and Order (copy attached). Because Dr. Smith lacks the capacity to execute the proposed Stipulated Surrender of License, the Medical Board insists that Petitioner must obtain court authority to execute it on behalf of Dr. Smith.

The authorization sought is for the advantage, benefit, and best interests of Dr. Smith and Petition in that it is necessary to consummate the settlement. Without a settlement, Dr. Smith and Petitioner would incur additional legal fees and costs in the Accusation proceeding to no avail, because Dr. Smith does not intend to practice medicine anymore.

Petitioner prays for an Order from this Court that she be authorized to execute the proposed Stipulated Surrender of License and Order and surrender Physician and Surgeon's Certificate No. C21528 to the Medical Board.

Reviewed by: KT

Reviewed on: 7/16/14

Updates:

Recommendation:

File 9 – Smith

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 10/3/13		RYAN MISSAKIAN , son, is petitioner and requests appointment as Administrator without bond. All heirs waive bond. Full IAEA – o.k. Decedent died intestate. Residence: Fresno Publication: Fresno Business Journal <u>Estimated value of the estate:</u> Personal property - \$ 15,566.00 Real property - \$550,000.00 Total - \$565,556.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need Order Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, December 17, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, September 16, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: KT	
		Reviewed on: 7/15/14	
		Updates:	
		Recommendation:	
		File 10 – Missakian	

Age: 100 years	<p>MONTIE DAY, son, was appointed Conservator of the Person and Estate on 05/23/13.</p> <p>Inventory & Appraisal, Final filed 06/26/13 - \$2,000.00</p> <p>Status Report filed 4/14/14 states Thelma Day continues to reside at Clovis Quality Care. Her care is currently being paid by the Thelma L. Day Trust. Other than additional expenses charged for court fees, the conservatorship funds are maintained for the benefit of Thelma Day. It remains likely that Thelma Day will outlive her financial resources. These assets should be available for her care and conserved exclusively for her benefit.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account.</p> <p>Note: an accounting is included in the status report. However, the accounting must be filed independent of the status report, set for hearing, filing fee paid and it must be properly noticed on all parties entitled to notice, in compliance with Probate Code §2620 et seq. Including the accounting in the status report is not sufficient.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 7/15/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Day</p>

12 **Dianna Porter (CONS/P)**
Atty **LeVan, Nancy J. (for Petitioner Tobie Gray)**
Atty **Horton, Lisa (Court appointed for Conservatee)**

Case No. 14CEPR00520

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 70 years DOB: 2/14/1943		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 7/9/14. Voting Rights Affected. Need minute order. 1. Petitioner requests the court dispense with notice to two of the conservatee's grandsons, Todd Blakely and Julian Blakely. Petitioner states she has not had contact with Todd or Julian in over 10 years. After their father died they cut ties with the family and no one knows how to reach them.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.	TOBIE GRAY , daughter, is petitioner and requests appointment as conservator of the person with medical consent powers and dementia powers for secured placement and the administration of dementia medications. Declaration of Earl Fernando, M.D., 6/25/14 supports request for medical consent and dementia powers. Voting rights affected. Petitioner states the proposed conservatee suffers from Bipolar Disorder and Schizophrenia. She wanders off and gets lost until family members find her. She needs help with all activities of daily living. Court Investigator Dina Calvillo's Report filed on 7/14/14 recommends that the conservatorship be GRANTED.		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 7/15/14	
			Updates:	
			Recommendation:	
			File 12 – Porter	

		TERI LYN JACKSON was appointed Guardian of the Estate on 10-12-10 with funds to be placed into blocked accounts. Letters issued on 10-12-10.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 4-17-14, 5-22-14</u> <u>Minute Order 4-17-14:</u> No appearances. The Court will consider eliminating this accounting as well as any subsequent accountings so long as proof of the blocked account is provided. Matter continued to 5-22-14. The Court orders Teri Lyn Jackson to be present on 5-22-14. A copy of the minute order was mailed to Ms. Jackson on 4-17-14. <u>Minute Order 5-22-14:</u> No appearances. The Court sets the matter for an Order to Show Cause on 7/3/14 regarding Teri Jackson's failure to appear and imposition of sanctions in the amount of \$500.00. Teri Jackson is order to be personally present on 7/3/14. The Court will entertain a request for no further accountings once the second account is filed. Continued to 7/3/14 @ 9:00 a.m. Dept. 303. Set on 7/3/14 @ 9:00 a.m. Dept. 303 for: Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00 The minute order and Order to Show Cause were mailed to Ms. Jackson on 5-22-14. <u>Minute Order 7-3-14:</u> Ms. Jackson requests a continuance. <u>(Examiner's Note:</u> The Receipts for the four Blocked Accounts were filed on 12-27-10.) <u>Note:</u> The Guardian was previously represented by Attorney Erin Childs; however, the attorney was relieved as counsel pursuant to order field 6-20-12, and the Guardian is now self-represented. 1. The Second Account Current is now due. Need Second Account.
Cont from 041714, 052214, 070314		The First Account was settled on 2-2-12 and the Court set status hearing for the filing of the Second Account for 4-17-14. There were no appearances on 4-17-14 and the matter was continued to 5-22-14. There were no appearances on 5-22-14 and the matter was continued to 7-3-14. The Court also set an Order to Show Cause re Failure to Appear and Imposition of Sanctions for 7-3-14. See Page B.	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 7-16-14	
		Updates:	
		Recommendation:	
		File 13A – Pelley	

Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00

		<p>TERI LYN JACKSON was appointed Guardian of the Estate on 10-12-10 with funds to be placed into blocked accounts. Letters issued on 10-12-10.</p> <p>The First Account was settled on 2-2-12 and the Court set status hearing for the filing of the Second Account for 4-17-14.</p> <p>There were no appearances on 4-17-14 and the matter was continued to 5-22-14.</p> <p>There were no appearances on 5-22-14 and the matter was continued to 7-3-14.</p> <p>The Court also set this Order to Show Cause re Failure to Appear and Imposition of Sanctions for 7-3-14.</p> <p>On 7-3-14, the matter was continued to 7-17-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 070314			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 7-16-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13B - Pelley</p>	

**14 Julissa Contreras, Arianna Contreras, Danny Cabrera and Ramon Contreras
(GUARD/P)**

Case No. 13CEPR00234

Atty Cabrera, Stephanie (Pro Per – Petitioner – Mother)

Petition for Termination of Guardianship

Julissa age: 10	STEPHANIE CABRERA , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> • Patricia Martinez (Co-Guardian) • Candice Gomez (Co-Guardian) • Ramon Contreras (Father) • Paternal Grandmother (Not Listed) • John Cabrera (Maternal Grandfather)
Ariana age: 8		
Danny age: 6	PATRICIA MARTINEZ , maternal grandmother, and	
Ramon age: 4	CANDICE GOMEZ , maternal aunt, were appointed guardians on 05/28/2013.	
Cont. from		
Aff.Sub.Wit.	Father: RAMON CONTRERAS	
<input checked="" type="checkbox"/> Verified	Paternal grandfather: DECEASED	
Inventory	Paternal grandmother: NOT LISTED	
PTC		
Not.Cred.	Maternal grandfather: JOHN CABRERA	
Notice of Hrg	Petitioner requests: that the guardianship be terminated. She states that her mother was awarded guardianship last year after she threw the petitioner and her one year old son out of her home. Petitioner states she left her children there till she found a place. She states the guardian went behind her back and filed for guardianship. Petitioner states she was never served and that her mother knew where to find her. Petitioner moved back into her mother's home June of last year and has been there ever since. Petitioner agreed to let her mother keep the guardianship until she received her disability because the guardian has no income besides the cash aid she receives for the petitioner's children. Petitioner states her mother/guardian recently kicked her out again and does not allow the petitioner to see or talk to her children. Petitioner states while she was living with her mother/guardian that she would care for the children and got them everything that they needed even though the guardian was receiving cash aid. Petitioner states that the guardian is prescribed morphine for pain which causes her to sleep most of the day which leaves the children unsupervised. Petitioner states that her children should be residing with her and not the guardian.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Court Investigator Jennifer Young's report filed 07/11/2014.		
Reviewed by: LV		
Reviewed on: 07/16/2014		
Updates:		
Recommendation:		
File 14 – Contreras & Cabrera		

Age: 5		YOANA ALVAREZ DELGADILLO, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		LEONARDA SOTO, paternal grandmother, was appointed guardian on 01/27/2014. Personally served on 05/17/2014. Objection filed 07/08/2014.	1. Petition is incomplete. Petitioner did not provide a reason why termination of the guardianship is in the best interest of the minor. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> • Cesar J. Soto (Father) • Manuel Soto Garcia (Paternal Grandfather) • Pedro Francisco Delgadillo (Maternal Grandfather) • Claudia Delgadillo (Maternal Grandmother)
	Aff.Sub.Wit.	Father: CEASAR J. SOTO	
✓	Verified	Paternal grandfather: Manuel Soto Garcia	
	Inventory	Maternal grandfather: Pedro Francisco Delgadillo	
	PTC	Maternal grandmother: Claudia Delgadillo	
	Not.Cred.	Petitioner states: Petitioner did not provide a reason why termination of the guardianship is in the best interest of the minor.	
✓	Notice of Hrg	Objection to Termination of Guardianship filed 07/08/2014 states she has been an active grandmother and has been in the child's life for her whole life. The mother of the child has a long history of drug abuse and living on the streets, mother has also fled the country due to circumstances that are unknown because of her addiction. The minor child has suffered a great deal from being exposed to drug raids in the country of Mexico under the care of her maternal grandmother and natural mother. Guardian believes that the termination of guardianship is not in the best interest of the child and will be detrimental.	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order	Court Investigator Dina Callvillo's report filed 07/10/2014.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 07/16/2014
			Updates:
			Recommendation:
			File 15 – Soto

16 Josias Garcia & Ayden Garcia (GUARD/P) Case No. 14CEPR00444

Atty Carrion, Maria (pro per Petitioner/maternal grandmother)

Atty Zepeda, Manuel (pro per Petitioner/maternal step-grandfather)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Josias age: 4		TEMPORARY EXPIRES 7/17/14	NEEDS/PROBLEMS/COMMENTS:
Ayden age: 6			
		MARIA CARRION , maternal grandmother and MANUEL ZEPEDA , maternal step-grandfather, are Petitioners.	1. Petition is incomplete at item 2 of both Child Information Attachments. No relatives of the children are listed. Need amended/completed Child Information Attachment for each child.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Father: NOT LISTED (MICHAEL LAJOIE) Mother: NOT LISTED (DESTINY GARCIA)	2. Need Confidential Guardian Screening Form for Manuel Zepeda.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Paternal grandparents: Not Listed	3. Need <i>Notice of Hearing</i> .
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Maternal grandfather: Not Listed	4. Need proof of personal service of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: a. Michael Lajoie (father) b. Destiny Garcia (mother)
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	Petitioners state mom is on drugs and father is not on the birth certificate.	5. Need proof of service of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: c. Paternal grandparents d. Maternal grandfather
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Objections to Guardianship filed by mother, Destiny Garcia, on 7/15/14. Mother states petitioner Maria Carrion does drugs. Everything she stated in the petition is a lie.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Objections to Guardianship filed by father, Michael LaJoie, on 7/15/14. Father states he has a stable job to support the minors. He has had the job for 3 years. He has a stable home for the minors to live in. Maria the petitioner has moved numerous times since the boys have lived with her. Ayden has been to 4 different schools in the last school year. He has missed so much school that he has to repeat kindergarten. Father states he was unable to enroll the boys in school because he is not on their birth certificate. He was unable to get them immunized because he didn't have their MediCal cards. Father states he has been in contact with the boys their entire lives.	
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	Court Investigator Samantha Henson's Report filed on 7/10/14	Reviewed by: KT Reviewed on: 7/16/14 Updates: Recommendation: File 16 – Garcia

Atty Carrion, Maria (pro per Petitioner/maternal grandmother)

Atty Zepeda, Manuel (pro per Petitioner/maternal grandfather)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 2		<u>TEMPORARY EXPIRES 7/17/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		MARIA CARRION and MANUEL ZEPEDA,		6. Need Notice of Hearing.	
		maternal grandparents, are Petitioners.		7. Need proof of personal service of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
Cont. from		Father: MARCUS BRAVO		e. Marcus Bravo (father)	
<input type="checkbox"/>	Aff.Sub.Wit.			f. Alexandria Zepeda (mother)	
✓	Verified	Mother: ALEXANDRIA ZEPEDA		8. Need proof of service of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
	Inventory	Paternal grandparents: unknown		g. Paternal grandparents	
	PTC			9. Need Confidential Guardian Screening Form for Maria Carrion.	
	Not.Cred.	Petitioners state mom is on heroin and meth and lives in a crack house full of men.			
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
	Conf. Screen	X			
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 7/16/14	
				Updates:	
				Recommendation:	
				File 17 – Bravo	

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 8 years	SHAMIKA WILSON, maternal aunt and Guardian of the Person, is Petitioner and requests appointment as Guardian of the Estate [request for deposits into a blocked account is not included.]		NEEDS/PROBLEMS/COMMENTS: Page 19 is a related matter for sibling. Note: Court records indicate that Petitioner Shamika Wilson was appointed as Guardian of the Person of this child on 2/7/2011 in Case #10CEPR00362 . Continued from 7/3/2014. Minute Order [Judge Culver Kapetan] states: No appearances. Matter continued to 7/17/2014. Subsequent to the calendar being concluded, Shamika Wilson appears in Court. The Clerk is directed to provide Ms. Wilson a copy of the examiner notes and advises her of the next hearing date. The following issues remain: 1. Item 1(c) of the <i>Petition</i> does not include information regarding a blocked account for the Guardianship Estate as required by Local Rule 7.8.1 (I) 2. <i>Child Information Attachment</i> attached to the <i>Petition</i> is incomplete at Item 2 which requires the child's relatives and their current addresses to be listed. (Note: Names of some relatives have been obtained from Guardianship Case #10CEPR00362; however, the Court requires this information, including current known addresses, to be provided in the instant case file 14CEPR00482 on completed <i>Child Information Attachment</i> forms to maintain complete and accurate records.) ~Please see additional page~
Cont. from 070314			
Aff.Sub.Wit.			<div> <div>Estimated Value of the Estate:</div> <div>Property - \$ not stated</div> </div> <div> <div>Father: HASAIN MUHAMMAD, SR.</div> <div>Mother: SHAUNTÉ MADDEN</div> </div> <div> <div>Paternal grandfather: Not listed</div> <div>Paternal grandmother: Not listed</div> </div> <div> <div>Maternal grandfather: Patrick Madden, Sr.</div> <div>Maternal grandmother: Jeanell Wilson</div> </div> <div> <div>Petitioner states no reasons that appointment of a guardian of the estate is necessary.</div> </div>
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: LEG			
Reviewed on: 7/15/14			
Updates:			
Recommendation:			
File 18 - Muhammand			

NEEDS/PROBLEMS/COMMENTS, continued:

3. Probate Code § 1511(b)(2) provides notice of the petition for appointment of guardian of the person or estate or both shall be given as provided in subdivisions (b) (c) (d) and (e) and shall be accompanied by a copy of the petition. Need *Notice of Hearing* and proof of service of notice by mail to the following persons:
 - **HASAIN MUHAMMAD, SR.**, Father;
 - **SHAUNTE MADDEN**, Mother;
 - **PATRICK MADDEN, SR.**, Maternal grandfather;
 - **JEANELL WILSON**, Maternal grandmother;
 - Paternal grandparents.
4. Item 7 of the *Petition* regarding character and estimated value of the estate is incomplete as Petitioner lists no property. Need information regarding the source of the funds for which the guardianship estate will be established. The Court cannot exercise oversight of property of the child that is not currently existing or not even anticipated to be received by the child in the near future. Unless the Petitioner knows or has reason to know of a gift or inheritance that will with certainty be soon received by the child from an identified and specific source, the *Petition for Appointment of Guardian of the Estate* should be denied and dismissed for lack an estate of the child at this time.
5. Item 8 of the *Petition* states no reasons that appointment of a guardian of the estate is necessary.

Note to Petitioner Re Responsibilities as Guardian of the Estate: Appointment as Guardian of the Estate requires compliance with strict and complex requirements pursuant to § 2620 et seq. of the Probate Code. Petitioner must adhere to **Part 2 of the Duties of Guardian** [form GC-248], which she signed and filed with the Court on 5/29/2014. Petitioner should be aware that if the Petitioner is appointed as Guardian of the Estate, **the Court will set Status Hearings to ensure compliance with the strict requirements of the Probate Code, as follows:**

- **Monday, August 18, 2014 at 9:00 a.m. in Dept. 303** for receipt of funds in blocked account;
- **Monday, November 17, 2014 at 9:00 a.m. in Dept. 303** for filing of the Inventory and Appraisal;
and
- **Thursday, September 3, 2015 at 9:00 a.m. in Dept. 303** for filing of first account of the Guardianship Estate.

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 6 years	SHAMIKA WILSON, maternal aunt and Guardian of the Person, is Petitioner and requests appointment as Guardian of the Estate [request for deposits into a blocked account is not included.]		NEEDS/PROBLEMS/COMMENTS: Page 18 is a related matter for sibling. Note: Court records indicate that Petitioner Shamika Wilson was appointed as Guardian of the Person of this child on 2/7/2011 in Case #10CEPR00362 . Continued from 7/3/2014. Minute Order [Judge Culver Kapetan] states: No appearances. Matter continued to 7/17/2014. Subsequent to the calendar being concluded, Shamika Wilson appears in Court. The Clerk is directed to provide Ms. Wilson a copy of the examiner notes and advises her of the next hearing date. The following issues remain: 6. Item 1(c) of the <i>Petition</i> does not include information regarding a blocked account for the Guardianship Estate as required by Local Rule 7.8.1 (I). 7. <i>Child Information Attachment</i> attached to the <i>Petition</i> is incomplete at Item 2 which requires the child's relatives and their current addresses to be listed. (Note: Names of some relatives have been obtained from Guardianship Case #10CEPR00362; however, the Court requires this information, including current known addresses, to be provided in the instant case file 14CEPR00482 on completed <i>Child Information Attachment</i> forms to maintain complete and accurate records.) ~Please see additional page~					
Cont. from 070314								
Aff.Sub.Wit.								
✓ Verified								
Inventory								
PTC								
Not.Cred.								
Notice of Hrg	X							
Aff.Mail	X							
Aff.Pub.								
Sp.Ntc.								
Pers.Serv.								
✓ Conf. Screen								
✓ Letters								
✓ Duties/Supp								
Objections								
Video Receipt								
CI Report								
9202								
✓ Order								
Aff. Posting								
Status Rpt								
✓ UCCJEA								
Citation								
FTB Notice								
Estimated Value of the Estate: Property - \$ not stated Father: HASAIN MUHAMMAD, SR. Mother: SHAUNTÉ MADDEN Paternal grandfather: Not listed Paternal grandmother: Not listed Maternal grandfather: Patrick Madden, Sr. Maternal grandmother: Jeanell Wilson Petitioner states no reasons that appointment of a guardian of the estate is necessary.			<table border="1"> <tr> <td>Reviewed by: LEG</td> </tr> <tr> <td>Reviewed on: 7/15/14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 19 - Muhammand</td> </tr> </table>	Reviewed by: LEG	Reviewed on: 7/15/14	Updates:	Recommendation:	File 19 - Muhammand
Reviewed by: LEG								
Reviewed on: 7/15/14								
Updates:								
Recommendation:								
File 19 - Muhammand								

NEEDS/PROBLEMS/COMMENTS, continued:

8. Probate Code § 1511(b)(2) provides notice of the petition for appointment of guardian of the person or estate or both shall be given as provided in subdivisions (b) (c) (d) and (e) and shall be accompanied by a copy of the petition. Need *Notice of Hearing* and proof of service of notice by mail, along with a copy of the *Petition*, to the following persons:
- **HASAIN MUHAMMAD, SR.**, Father;
 - **SHAUNTE MADDEN**, Mother;
 - **PATRICK MADDEN, SR.**, Maternal grandfather;
 - **JEANELL WILSON**, Maternal grandmother;
 - Paternal grandparents.
9. Item 7 of the *Petition* regarding character and estimated value of the estate is incomplete as Petitioner lists no property. Need information regarding the source of the funds for which the guardianship estate will be established. The Court cannot exercise oversight of property of the child that is not currently existing or not even anticipated to be received by the child in the near future. Unless the Petitioner knows or has reason to know of a gift or inheritance that will with certainty be soon received by the child from an identified and specific source, the *Petition for Appointment of Guardian of the Estate* should be denied and dismissed for lack an estate of the child at this time.
10. Item 8 of the *Petition* states no reasons that appointment of a guardian of the estate is necessary.

Note to Petitioner Re Responsibilities as Guardian of the Estate: Appointment as Guardian of the Estate requires compliance with strict and complex requirements pursuant to § 2620 et seq. of the Probate Code. Petitioner must adhere to **Part 2 of the Duties of Guardian** [form GC-248], which she signed and filed with the Court on 5/29/2014. Petitioner should be aware that if the Petitioner is appointed as Guardian of the Estate, **the Court will set Status Hearings to ensure compliance with the strict requirements of the Probate Code, as follows:**

- **Monday, August 18, 2014 at 9:00 a.m. in Dept. 303** for receipt of funds in blocked account;
- **Monday, November 17, 2014 at 9:00 a.m. in Dept. 303** for filing of the Inventory and Appraisal;
and
- **Thursday, September 3, 2015 at 9:00 a.m. in Dept. 303** for filing of first account of the Guardianship Estate.

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Jessica Age: 16	GENERAL HEARING 09/02/2014		NEEDS/PROBLEMS/COMMENTS:
Sahil Age: 14	VERONICA SIDHU, sister, is petitioner.		
	Father: DARSHAN BRAR		1. Need Notice of Hearing.
Cont. from	Mother: SABINA SIDHU , Consents and Waives Notice		
<input type="checkbox"/> Aff.Sub.Wit.	Paternal Grandparents: Not Listed		2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Darshan Brar (Father) • Jessica Brar (Minor) • Sahil Brar (Minor)
<input checked="" type="checkbox"/> Verified	Maternal Grandfather: Not listed		
<input type="checkbox"/> Inventory	Maternal Grandmother: Indira Sidhu		3. UCCJEA is incomplete. Need minor's residence information for the past 5 years.
<input type="checkbox"/> PTC	Petitioner states: her mother applied for Section 8 but they will not allow her to receive it however they will allow the petitioner to receive Section 8 but they need proof of legal guardianship.		
<input type="checkbox"/> Not.Cred.			4. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached for each child.
<input type="checkbox"/> Notice of Hrg	x		
<input type="checkbox"/> Aff.Mail			5. Page #2 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) regarding the relatives for the minor, Jessica Brar, is incomplete. Need declaration with page #2 attached for minor, Jessica Brar.
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			Reviewed by: LV
<input type="checkbox"/> Pers.Serv.	x		
<input checked="" type="checkbox"/> Conf. Screen			Reviewed on: 07/16/2014
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			Updates:
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			Recommendation:
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			File 20 – Brar
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			